G. R. S. IX-5]

Previous references.

File No. 534-15

1915.

Serial Nos. 1-9

(Inzrai)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 9

Part B for August 17.

SUBJECT.

Lease of Re-Survey No. 91 of Gigali village in the Harihar Sub Taluk, endowed to Sri Ranganatha Devaru temple in the village

---

To. The Dy. Commr. Chitaldrug Distt.
No. 280. D. C. & I).
Forwarding a Copy of the G. O. passed in the Case approving of the action taken by the Dy. Commr of dismissing the appeal

Dg. To. The petnr Chennabasappa. No. 420. G. 20. 8. 1)
Informs him of the above.

W D 88—GPB—50,000—24-7-16

D. K. Appa Rai.
Br. VII D. 26/1/18

1915

GENERAL AND REVENUE SECRETARIAT.

(Mugrai)

NOTES.

File No 534/15

FILE HEADING.

Lease of Re-Survey no 91 of Jigali Village, Harihar Sub-Taluk endowed to Sri Ranganatha Devaru Temple in the Village

From

Sonda Channa Basappa

~~No~~ Petition Dated Received 23.3.1916

Diary No	Enclos	Spare Copies.	Serial No
1614	2	-	1

BRIEF ABSTRACT OF LETTER.

Appeals against the Chitaldrug Dy. Commrs. order directing that the lease of the above land may be disposed of by open competition, and adds that in consideration of his long enjoyment, he may be permitted to continue to enjoy it subject to the condition of his performing Nanda-deepa service in the Temple.

NOTES AND ORDERS

JG R1 The appeal-petition is duly stamped & the original order of the Dy Commr appealed against has been produced - the appeal is within time - A draft calling for report with

NOTES—First Sheet.

GPB—20 000-8 8 14

G. R. S. 12]

General and Revenue Secretariat. | File No. 534 of 1915.

Serial No.

records is submitted for appl.

WCRW 31.3.1916. amn 31/3/16

GHW 6/4/16

2 No 2459 dy 13.4.16, Do dy Govt Agent Galle dcog, for the above for report.

No 2460 dy 13.4.16, Do the petr, informing him of the above.

3. From Channabasappa,

Petition dy 25.4.1916

Prays for an ad interim order directing the stay of execution of the order appealed against pending the final disposal of his appeal.

The petitioner alleges that at considerable trouble and expense, he has improved the lands, and that his opponent Talawara Ranga, in whose favor the Dy Commr has passed his order is trying to get possession of the land in dispute.

Submitted for orders

WCRW 27.4.1916 amn 27.4.16

NOTE—Contn. sheet

GPB—70 000 —17 12 1

G. R. S. 12]

General and Revenue Secretariat.

File No. 534 of 1915.

Serial No.	
371 1-5-16	In the circumstances of the case the execution of the order may be stayed 2nd member) Yes, pending disposal of the appeal. 2-5-16
2/5/16	Submitted with DS NW(84) 2.5.1916.
4.	Do. D.C Chitaldroog Dis No 2621 Dated 5-5-1916 directing the Stay of the execution of the D.C's order appealed against
5	From the residents of Jigale Village & the Temple Dharmadarsi Telegram Dy 2856 State that the aplt has no right to Devadaya lands, and pray that on a re-consideration, the Stay order refd to in Serial 4 may be cancelled and

NOTE—Contn. sheet

G. R. S. 12]

General and Revenue Secretariat. | File No. 534 of 1915.

Serial No.

The appeal rejected, and add that if this cannot be done, they may be given an opportunity to prove their case on receipt of record.

The petitioners solicit a reply to their wire.

The telegram is addressed to the Dewan. Revenue secretary's order thereon is as follows:—

BV VII
(1) What is this about? Please let me see the papers & letter & copy of telegram & up to what reply? Post 29/5/16

Submitted for orders. A reply by wire may be given to the effect that due notice of the date of hearing of the case will be given to them and that they may defend their case then.

BV (94) 30.5.16.

30/5/16

NOTE—Contn. sheet

G. R. S. 12]

General and Revenue Secretariat.

File No. S 34 of 1915.

Serial No.

Appellant and he is the only person who is entitled to be heard. Perhaps the telegram is from him couched in the name of the villagers and Dharmadasa ~~Nagappa~~ The Correspondents' name and address not being clear it does not seem practicable to send any reply

Sec

Rev Secy

If no reply is practicable then the reply from may be entered to the Agent for delivery to the Sandes & the telegram and the Agent requested to inform the Senior that notice of the hearing of the appeal will be given to the party concerned

DT 31/5/15

Sec

31/5

G.P.L.—70 000- 17 12 15

G. R. S 12]

General and Revenue Secretariat. | File No. 534 of 1915.

Serial No.

Submd. with a Dft letter to the Dy Comr. Chitaldrug
NV (Sd)
2.6.16. 2/6/16

6 To, The Dy Commr, Chitaldrug Dt. Letter no 2822 Dt 9.6.16, Returns the prepaid cowcher
7 From, The Dy. Commr, Chitaldrug Dt.
Letter no. 579 Dt 5.6.1916.

Submits a report with records on the appeal petition of Gowda Channabasappa.

The Dy Commrs report goes fully into the facts of the case of Jigale Village Old S. no 76 and Re-S no 91, measuring A 14-8-2 and assessed at Rs 27 with a jodi of Rs 26-8-0 is a devadaya inam land granted for the Puje and for maintaining Nandadeepa in the Temple of Sri Ranganatha Swami in the Village. In colm 18 of the Inam Register, it is said that this land is "under the Special enjoyment of Patel Basaiah of yellavatty who pays 3 maunds of oil for the lamp in the Temple", and in colm 19, it is said that Pujari Basava offered to undertake the cultivation of this land and to continue the Deepam, but his request could not be complied with as Patel Basaiah

vide Inam extract in the file of Records).

had been long in the enjoyment of the land and was stated to have regularly contributed for the maintenance of the light in the Temple.

Bassiah's son channabasappa (applt before Govt.) is in possession of this land He gives annually 3 mauds of oil for Nandadeepa which may come to Rs 15, and pays Jodi etc. (Rs 26-8-0) to Govt. and appropriates the balance to himself. There were complaints to the effect that though the yield from this land was some 200 Rs or so every year, channabasappa was spending only a portion out of it for the Temple and was misappropriating the balance. During the local enquiry, channabasappa produced a (Khanda) paper dated Paingala Samvatsara purporting to have been executed by the villagers (Bassappa and Sannamallappa) to the effect that Pujari Manya which had been lying waste should be cultivated for the purpose of lighting the Temple and that if the income from the land was considered insufficient, they would pay the required amount to make up for the cost thereof. In his statement before the Dy Amildar of Harihar sub-Taluk, he admits that he has no other document

in support of his claim to the land and prays that in consideration of his long enjoyment he may be permitted to continue his enjoyment on payment of fmt dues in addition to ~~as~~ giving 3 maunds of oil to the Temple, and adds that he is also willing to pay ~~a~~ ~~Rupees~~ ~~of~~ ~~Rs~~ 9 to the Temple annually - ~~for~~ ~~reasons given in para 16 of his letter~~, The lease of the land has been disposed of by open competition for 5 years from 1916-1917 to 1920-21, and one Ranga has taken it up on payment of ~~Rs~~ 130/ to the Temple in addition to paying fmt dues. A fresh kabar executed by him is in the records -

For reasons given in para 16 of his letter, the Dy. Commr declined to cancel the sale and rejected the petition of Channabasappa -

Against this order, Channabasappa has appealed to fmt - the execution of the Dy. Commrs. order has been stayed pending disposal of the appeal -

As ordered on page 5, this case will be posted for hearing with the next batch of cases -

Submitted
M C(S)
13.6.16

Yes
Ch
13.6.16

RE—Contn. sheet

GPO—70 000—17 12 15

General and Revenue Secretariat.

File No. 534 of 1915.

Serial No.

Returned with the notices forwarded
[illegible]
11/7/16
4 7 1916

[illegible]

[illegible]

Returned with notices to 25th Nov.
[illegible]
24-11-1916

[illegible]
3/11/16

The D.C. comm's report is exhaustive. His remarks at para 19 ~~[illegible]~~ are weighty. It is a matter for satisfaction that the local authorities have awaken to the situation. There are already three appeals pending against similar orders of the D.C. comm. For some years past systematic action is being taken in the Shimoga District and the Govt have declined to accept that any assignment by a party of temporary land constitutes any prescriptive right.

G. R. S. 12]

General and Revenue Secretariat. | File No. 584 of 1915.

Serial No.

do so at the manual rent
he
1st member) 18.11.16

Mr M. G. Varadachar for the appellant
and Mr. T. Appukan for the Respts
appeared and argued the case.
The case reserved for orders
he
20.11.16.

Thro' Govt.
Secretariat for
Members, C.R.
20-11-16

791
24.11

Submitted to Hon'ble members for
orders
he
20.11.16

General and Revenue Secretariat.

File No. 534 of 1915.

Order

Serial No.

281
21.7.17

This is a case on call from with the Lohiken Swami Temple land case first time We have in dispute to an endowment to the temple of Sri Ramanathan Swami of the Jejeli Village, Court for the performance of the puja & the maintenance of Annadhanam in the said Temple. The Appellate Court has held from years ago an enactment of this nature & it is the Swami Temple Trustees to pay annually of sum of a certain which there are several appeals but of to enable the Trustees of the Swami of it into for, which amount is held as a total large amount of costs for the keeping the temple.

The Appellate this is proper this respect in the case of long enjoyment but first case necessarily decide to enable such long enjoyment of immovable lands the Temple as his tenement to which in right. The Swamy of the Swami as the Swami Court but to, a appeals is Trustees and to the long Court be pronounced a decree

G. R. S./12]

General and Revenue Secretariat.

File No. 574 of 1915.

Serial No.

1 [illegible] for [illegible] personal use. [illegible] applicant [illegible] for the occupancy [illegible] the claim of [illegible].

Approved [illegible]

[illegible] 14/7/17 [illegible] 21/7/17 [illegible] 29/7/17

2 Submitted with a draft order [illegible] 31/7/17

[illegible] 28.7.17 Secy)

[illegible] 30-7-17 Appd. Issue [illegible] endorsement [illegible] the applt. in this and the case.

[illegible] 1.8.17

Draft order [illegible] 1/8/17

3 No 280 dt 6.8.17, to the Deputy Collector, Dharwar, [illegible] a copy of the G.O. passed in the case of [illegible] of Kasaragatti [illegible] by the Dy. Commissioner [illegible]

Submitted with a draft order for approval. [illegible] 15.8.17.

[illegible] 16/8/17 [illegible] 16/8/17

4 No: 420 dt 20.8.17, to [illegible] Channa Basappa. [illegible] No 421 dt 20.8.17, [illegible] Basappa the [illegible].

No. 2403
15 10 16
MWL
65515

MEMO

On petitions received by the Dewan.

No.

Date of petition. 29-5-16

Name of petitioner. Inhabitants of the Jigali Village Tiruchirapalli Taluk

SUBJECT.

A Dispute regarding the leasing of the Brahmadaya Inam land endowed in favour of Sri Ranganatha Swami temple

Forwarded to the Secretary to Government, Revenue Department

11.6.16

BV VII

15/6/16

TWO RUPEES

IN THE COURT OF The Govt of H. H. the Maharaja of Mysore Bangalore

Appeal No 2 OF 1916-17

Plaintiff ಕೆ. ಬಿ. ಪಿ-ವಿಜಯರಾಘವ

VERSUS.

Defendant ಶಂಕರ

Respondent above named do hereby now and appoint Mr. T. APPU RAU, B. A., B. L., & Mr K. Seshagiri Rao to be my Advocate in the above suit. and I do hereby empower my said Advocate to appear for me and on my behalf in the above suit; to take all and any steps which may be necessary on my behalf arising out of, or in connection with the above suit, either during its progress or after its decision, to sign, and subscribe his name to any document which he may deem proper; to receive out of the said Court any sum of money which may be lodged, become payable or receivable on my behalf, and on receipt thereof to grant receipts or other sufficient discharges for the same; to withdraw, compromise, or refer to arbitration the said suit, to appoint one or more substitute, or substitutes, and to act and perform all other matters and things relating to or connected therewith, to represent me in all matters relating to the same and to act in the premises as fully and effectually to all intents and purposes, as I might do if personally present and did the same. And I do hereby agree to pay all Fees, Costs, Charges and Expenses which may be incurred, and to allow, ratify and confirm all and singular what-so-ever my said Advocate shall lawfully do, or cause procure to be done in the premises by virtue of these presents.

In witness whereof I have hereunto set my hand this 31st day of July 1916. ಇದಕ್ಕೆ ಸಾಕ್ಷಿಯಾಗಿ ಬರೆದುಕೊಟ್ಟ ಒಪ್ಪಂದವು ಸರಿಯಾದದ್ದೆಂದು ಒಪ್ಪಿದೆ

Accepted. T. Appu Rau
K. Seshagiri Rao
Advocate

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

OFFICIAL MEMORANDUM.

No 2457 Enc. 3. D 13/4/16.
Mus 534-15-2
The accompanying Petition Registered

No 1614 dated 23 3 16

received at the General and Revenue Secretariat from Jowda channa Basappa appealing against the Dy. Commr. order directing that the lease of Re-Survey No. 91 of Jigali Village, Harihar Sub-Taluk endowed to Sri Ranganatha Devaru Temple in the Village, may be disposed of by open Competition,

with compliments 2

is forwarded (together with its enclosures,) to the Dy. Commr, Chitaldrug with request for report with records for

By Order,

31/3/16 for Secretary.

BANGALORE,
_____ 191 .

P. T. O.

W D 882 -(P)3—1 000—10 11 15

ಜೆರಾಕ್ಸ್ ಪ್ರತಿ

ಕಾಲ್ಸೂಕು

ಮಾಡ ಟಿಪ್ಪಣ

~~ಸಾರ್ವಜನಿಕ ಮಾಹಿತಿ ಅಧಿಕಾರಿಯವರಿಗೆ~~

_____ಗೆ

ಇಂಡಾರ್ಸ್ಮೆಂಟ್ ಹುಕುಂ.

~~ಮಾಹಿತಿ ಹಕ್ಕು ಅಧಿನಿಯಮ ೨೦೦೫ ರ ಅಡಿಯಲ್ಲಿ ಕೋರಿರುವ~~
~~ಮಾಹಿತಿಯನ್ನು ಒದಗಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲು~~
~~ಅಗತ್ಯವಿರುವ ಶುಲ್ಕವನ್ನು ಪಾವತಿಸಲು~~
~~ಸೂಚಿಸಲಾಗಿದೆ. ಆದ್ದರಿಂದ~~
~~ಅಗತ್ಯ ಶುಲ್ಕವನ್ನು ಪಾವತಿಸಿ ರಸೀದಿಯನ್ನು~~
~~ಸಲ್ಲಿಸಲು ಕೋರಿದೆ.~~

~~ಮಾಹಿತಿ~~ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ 1614/23-3-16

ದಿನಾಂಕದಲ್ಲಿ ನೀವು ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಯನ್ನು ~~ಅಧಿಕಾರಿಯವರಿಗೆ~~ ಬಗ್ಗೆ

~~ಕಲಂ ೭(೧) ರಡಿಯಲ್ಲಿ ಶುಲ್ಕ~~

_____ರವಕ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ.

ಬೆಂಗಳೂರು

By Order,

Asst to the Regl Secretary

1. Directs the stay of the execution of the D.C's order appealed against ?

File No. 534
Serial No. 1915-4

Diary No. of letter replied to 1746

No. 2621 Enc 2

General and Revenue Secretariat

( )

, *the* 191 .

To

The Dy Commr,

Chitaldrug Dist

Date of issue 5. 5. 1916

Signed by W G Aravamudhan for

Sir,

In continuation of this Office memo no. 2459/Mysore 534-15-2 Dt 13th April 1916 calling for a report on the appeal petition of Gowda Channabasappa regarding the lease of Re-survey no. 91 of Jigali Village, Harihar Sub-Division endowed to Sri Ranganatha Devaru

over.

SUBJECT

in the Village, I am directed to forward herewith another petition registered no. 1746 from the said individual, and to request that in the circumstances of the case, the execution of the order appealed against may be stayed pending disposal of the appeal.

I have etc.

31-7-46

D/T) ... for Chief Secretary.

List of enclosures.

Copied by

Examined by

GPB—25,000—8 8 11

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

No 2622 Dt 5-5-1916.

[illegible]

[illegible]

[illegible]

DIARY No. 1980

19/5-19 16
SECTION Mun
File No. 534-15
SERIAL No. 5

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

C. Telegram dt 28-5-16 from Dewan's office

INDIAN TELEGRAPHS.

DEWAN'S OFFICE.
Date of Receipt 29-5-16
Petn. Regr. No. 13949

NOTICE.
This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Rs

Office Stamp.

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.
Kadur	27	11	15	Rdtd 12 noon 58	

TO

Recd. here at Bangalore H. 12 M. 1 Rfr

Reply paid Answ
eight Dewansaheb
Attacamunda Tenure
Negins

Referring to your excellency's office
muzarai Endorsement of 25th May
no 26822 to Chennabasappay holding
deputy Commissioners Date of Madapur

N B —The name of the Sender, if telegraphed, is written after the text

Gulab Singh & Sons, Calcutta—No. 21 Tel—14 5 14—50,000.

N.B —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

GPB—50,000—5 8 15

R. S! 26]

File No. 534
Serial No. 6/915

Diary No. of letter replied to 6980

No. 2622 Encl

General and Revenue Secretariat

( )

, *the* 191 .

To

The Dy Commissioner,
Chitaldrug District

Date of issue 9. 6. 1916

Signed by Jnr G Aravamudeyar

Sir,

In continuation of the marginally-noted communications from this office calling for an early report ~~with records~~ on the appeal petition of Gowda Channabasappa regarding the case of Re-Survey no. 91 of Jigali village, Harihar Sub-Taluka, awarded to Sri Ranganatha

over.

2459 of 13. 4. 1916
2621 of 5. 5. 1916.

SUBJECT

temple in the village,
I am directed to forward
herewith ~~a reply paid~~ ~~received~~
~~via~~ Telegram* registered No
1980 addressed to the Diwan
Saheb on the subject ~~for~~
~~delivery to the Sender of the~~
~~Telegram~~; and to request that
the Sender may be informed
that notice of the hearing of
the appeal will be given to
the parties ~~concerned~~.

(* Copy herewith

and a reply prepaid telegraph
received with it

I have etc

DH
2/6/16

for Regr. Secretary

entitled thereto and that the
prepaid voucher may
be returned to
the Sender

List of enclosures

GPB—50,000—25 9 15

1915

From

The Deputy Commissioner
Chitaldrug Dist

To

The Secretary to Government
Revenue Department
Bangalore

Dated

Despatched 5-15 June 1916

Received

General No.

No.

Enclosure No. one file.

DIARY No 2027
1915 16
SECTION Mulk
FILE NO. 534-1
SERIAL NO. 7

Reporting with records the petition from Gowda Channabasappa appealing against this office order directing that the lease of Reserve No. 21 Jigali Village, Harihar Sub endowed to Sri Ranganathaswamy temple in the Village may be disposed of by open competition. —

Deputy

Chitaldrug District

Dated Chitaldrug, 1st June 1916.

From

C. S. Balasunderam Iyer Esquire B.A.,

Deputy Commissioner,

C H I T A L D R U G.

To

V. R. Thyagaraja Iyer Esquire M.A.,

Secretary to the Government of

H. H. the Maharaja of Mysore,

Revenue Department, Bangalore.

S I R,

With reference to your official memorandum No.2459/Muz. 534-15-2 dated 13th April 1916 forwarding for report with records, petition registered No.1614 dated 23rd March 1916 from Gowda Chennabasappa appealing against this office order directing that the lease of Re-survey number 91 of Jigali village Harihar Sub Taluk endowed to Sri Ranganathadevaru temple in the village may be disposed of by open competition I have the honor to state as follows:-

2. Sri Ranganathadevaru temple at Jigali village in the Harihar Sub Taluk has been endowed with the marginally noted inam lands for puja and nandadepam.

3. On 20th March 1911 Talavar Giriappa of Jigali village petitioned the Deputy Amildar of Harihar Sub Taluk stating that although the inam lands of the temple yielded a large amount of annual income yet the temple derived only a small benefit for its nandadepam and nothing more and prayed that the lands might be given out to him for cultivation and offered to pay more than Rs 100 for the benefit of the temple in addition to the payment the assessment due on the lands and also the charges for nandadepam or that they might be leased out by public auction.

4. On 25th March 1911 Patel Sanna Basappa and some other ryots of the Jigali village petitioned the Assistant M

Commissioner, Davangere Sub Division, touching upon the inadequacy of the benefit to the temple from the said inam lands and requesting that the lands might be leased out by public auction, whereby the profit realised might be utilised for repairing the temple and for Rathosavam &c., The petition was forwarded to the Deputy Amildar of Harihar Sub Taluk for report.

5. On 29th April 1911 the said patel Sanna Basappa and others of Jigali village sent up a petition to this office also, stating that if the inam lands were leased out there would be an annual income of about Rs 200 to the temple. This also was forwarded to the Deputy Amildar for report through the Sub Division Officer.

6. The enquiries instituted showed that survey number 91 the inam land in question was in the possession of Murigendrappa of Yalavatti village who was paying the assessment on the land and was supplying only 3 maunds of oil for nandadepam in the temple. In his statement before the Deputy Amildar of Harihar on 1st June 1911, Murigendrappa stated that the land had been in the enjoyment of his family from a long time and produced a letter dated (ಶ್ರೀಶಾರ್ವರಿನಾಮಸಂ ವತ್ಸರದ ವೈಶಾಖ ಶುದ್ಧ ಪಂ.) the 10th day of Vaisakha Suddha of Panchala purporting to have been written by Gowda Basappa and Sanna Mallappa of Jigali to Gowda Hanumappa of Yalavatti, stating that as the latter (Hanumappa) had delayed lighting on account of the inadequacy of the pujari manya which stood in their name, the two former would arrange to supplement the same next year or bear the extra charges themselves &c. Further Murigendrappa declined to pay any more profit to the temple than the supply of 3 maunds of oil and stated that he had no other proof in support of his claim for the land.

7. Then as the land was estimated to yield annual income of over Rs 200, as the aforesaid Murigendrappa had declined to pay for the benefit of the temple anything in excess of 3 maunds of oil, which cost him only about Rs 15 or 16 per annum and had failed to produce satisfactory evidence in support of his claim to the land and as there was good competition to cultivate the land on payment of profit to the temple, the Deputy Amildar in his No.96 dated 27th

the benefit of the temple. Mr. C. Raghunatha Rao Saheb, Assistant Commissioner, Davangere Sub Division agreeing with the Deputy Amildar recommended that survey number 91 be leased out on a revised rent for the benefit of the temple. Mr. K. Krishna Iyer, the then Deputy Commissioner in his memo No.427 dated 16/21st September 1911 approved of the recommendation.

8. Thereupon on 30th December 1911, the Deputy Amildar issued an order to the patel of Yalavatti directing him to ask Murigendrappa to appear before him at Jigali immediately as he had to be examined in connection with the leasing out of the inam land in question. The order was duly served on Murigendrappa but he pleaded his inability to appear on account of his serious illness.

9. Thereupon on 30th December 1911 the Deputy Amildar himself conducted the sale of the right of cultivating the survey number 91 in question for a period of 8 years when the highest bid received was Rs 155 per annum from one Ranga Talavar in addition to the payment of the assessment on the land and the supply of 3 maunds of oil to the temple for nandadepam annually and submitted the records to the Sub Division Officer for approval on 6/8th January 1912(vide his report No.464).

10. In the meantime on 5th January 1912 Murigendrappa had petitioned the Sub Division Officer complaining against the Deputy Amildar's action.

11. Thereupon the Sub Division Officer of Davangere disapproved of the Deputy Amildar's action on the ground that the statement of Murigendrappa had not been taken &c and returned the records for further enquiry and report (Vide his No.739 dated 15/17th February 1912).

12. Again on 26th December 1912 when the Deputy Amildar examined Murigendrappa he stated that the land was in the enjoyment of his family since the date of the letter already produced by him, that he was not willing to part with it and that he would pay a sum of Rs 8 annually for the benefit of the temple in addition to the supply of 3 maunds of oil.

13. While the matter stood thus, the question about the other inam survey number 162 which was hitherto in the enjoyment of the pujari also arose on the ground that the pujari was not properly performing the puja &c. Thereupon the Sub Division Officer suggested that the inam lands might be leased out for the benefit of the temple Then the Offg: Deputy Commissioner Mr. C. Venkata Rao ordered on 25th July 1915 that the inam lands be leased out (Vide No.141 dated 25th July 1915. also No.174 dated 3rd August 1915).

14. Accordingly after the publication of the notification of sale, the right of cultivating the land for a period of 5 years from 1916-17 was sold by public auction on 20th September 1915 for Rs 130/ per annum in addition to the payment of the assessment of Rs 27 due on the land. The appellant Chennabasappa is reported to have refused to set his signature to the sale notification.

15. Subsequently the appellant petitioned this office on 4th October 1915 and 4th December 1915 praying for the cancellation of the sale.

16. As the land in question has been endowed to the Ranganatha Devaru as an inam for the puja and Nandadepam in the temple and not as an inam to the ancesstors of the appellant and as the khate of the land also stands in the name of the God, the rere cultivation of the land by the members of the appellant's family could not be construed as having created a right to the appellant as against that of the temple for the benefit of which the inam has been granted. Further Murigendrappa, when asked by the Deputy Amildar, had declined to pay more than a small sum of Rs 8 for the benefit of the temple in addition to the 3 maunds of oil, which may not cost more than Rs 15 or Rs 16 per annum. Further the appellant had refused to sign the sale notification and had not established his title to the land. The temple was therefore evidently entitled to enjoy the benefit derived fror the land. I therefore declined to cancel the sale and rejected the petitio on 29th February 1916.

17. The present appeal is against the aforesaid order.

18. As per instructions conveyed in your letter No.2621/Muz.

appealed against has been stayed pending disposal of the

19. There are several cases in this District in which endowed to temples &c., have been misappropriated in a manner simi to the one brought to notice in this case by the managers for the time being or other persons having control of the land or the institution and if breaches of trust like this are acquiesced in all Devadaya inams in this District will become private property very soon. The managers of institutions &c should only be regarded as trustees and should be held strictly to account for the reasonable and bonafide management of the institution and its properties.

20. The Vernacular papers ending with yadi No.1391 dated 24th May 1916 from the Assistant Commissioner Davangere Sub Division are herewith sent for reference and kind return.

I have the honor to be,

S I R,

Your most obedient servant,

~~Try~~: Assistant Commissioner,

For Deputy Commissioner,

Chitaldrug District.

(Absent from station).

S.V.

105

Before the Government of His Highness the Maharaja of Mysore.

Appeal No. 2 of 1916-17

Appellant.	*Vs.*	Respondent.
Channabasappa of Yelavalli Village, Harihar Sub. Taluk.		Rangappa.

Subject. Appeal against the order of The Dy. Commr, Chitaldrug No 160 & 3 3 16 Dis 11/16 directing the disposal by open competition, of the lease of Re-Survey No. 91 of Jigali Village in the Harihar Sub. Taluk endowed to Sri Ranganatha Devaru Temple in the Village.

Order

The case was heard by Court on 20th November 916, The aplt was represented by his Advocate Mr. M G Ch

GPB—500—12-9-16

~~This is a case on all fours with the Sokkikere Eswara Temple land case just disposed of.~~ The land in dispute is an endowment to the Temple of Sri Ranganatha Devaru of Jigali Village, granted for the performance of the Puja and the maintenance of Nanda deepa in the said Temple. The appellant to whom the land was leased nine years ago on condition of his supplying 3 Nanis of oil for the Nanda deepa, now objects to pay anything by way of ~~the~~ a Cash "Sutti", while there are several offers not only to continue the supply of 3 Nanis of oil but to pay the assessment as well as

a fairly large amount of cash gutta for the be of the Temple.

The appellant tries to p his prescriptive right on the score of long enjoyment. But Govt have invariably declined to accept such long enjoyments of Devadeyam lands by the lessees as being tantamount to anything like a prescriptive right. The managers of Muzrai institutions as in the present case, can, at best, be regarded as Trustees and as such they cannot be permitted to misappropriate the lands endowed to the Temples for their personal use. Govt have full liberty over the disposal of such lands for the

of the Temple.

The action of the Dy Commr is approved and the appeal dismissed.

Memo no 280 dt 6.8.917 Empire
Misc 534-15-8

Copy to the Dy. Commr, Chitaldrug Dist, with the Vern. record received with his letter no. 579 dt 5th inst.

Bo.
1.8.17
Joint Munz. Secy

DO(2)
30/7/17

31/7/17

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

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Misc 534-15-9

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for joint Secy.

(illegible)

№ 421 Dt 20-8-917

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B.O

for joint Secy.